

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96813

April 21, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Issuance of Revocable Permit to Honolulu Transpac, Ltd. for Support Areas for its Regular Biannual California to Hawaii Yacht Race Finishing at the Ala Wai Small Boat Harbor, Tax Map Key (1)-2-3-037: portion of 12.

APPLICANT:

Honolulu Transpac, Ltd., a Hawaii nonprofit corporation, whose business and mailing address is c/o Mr. Cliff K. Cisco, 5321 Kahala Kua St., Honolulu, Hawaii, 96821

LEGAL REFERENCE:

Sections 171-13 and 55, Hawaii Revised Statutes.

LOCATION:

Portion of Government land of Ala Wai Small Boat Harbor (AWSBH), situated at Honolulu, Island of Oahu, Identified by Tax Map Key: (1) 2-3-037: portion of 12, as shown on the attached map labeled Exhibit A.

AREA:

As shown on the attached map labeled Exhibit A.

ZONING:

State Land Use District: Urban
City and County CZO: P-1 (0)

LAND TITLE STATUS:

Section 5(a) lands of the Hawaii Admission Act.
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:
YES ___ NO X

CHARACTER OF USE:

For support areas for Honolulu Transpac, Ltd.'s regular biannual California to Hawaii yacht race.

COMMENCEMENT DATE:

The date for this event is set to run for 14 days from the tentative start date of July 9, 2011 to July 23, 2011. As this is a sailing race leaving from California, arrival dates may be affected by weather. Permittee may require adjusting the event start date as needed. The Transpac Committee will work closely with DOBOR staff and the final commencement would be determined by the Chairperson.

RENT:

The rent and charges for the parking, reception area, and the Mole "A" median strip (Grassy Area) are flat rates for a fourteen-day period only during the event.

- (1) The Grassy Area at beginning of Mole "A" \$399.13
- (2) Mooring use of 500 Row: to be based on number of slips utilized and multiplied by \$17.58 per slip/per day. The number of slips shall be determined and provided prior to the tentative start date.

Total due: To be determined, See Exhibit B for the Calculation Method for Rent.

SECURITY DEPOSIT

Existing tenant, waived.

CHAPTER 343: ENVIRONMENTAL ASSESSMENT:

In accordance with the "Comprehensive Exemption List for the Division of Boating and Ocean Recreation, Department of Land and Natural Resources, State of Hawaii, as concurred in by the Environmental Council, State of Hawaii", dated March, 1995, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 that states in pertinent part, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing." The subject support areas will have negligible or no expansion or change of use beyond that previously existing.

DCCA VERIFICATION:

Place of business registration confirmed:	Yes
Registered business name confirmed:	Yes
Applicant in good standing confirmed:	Yes

REMARKS:

Honolulu Transpac, Ltd. (Transpac) has requested specific needs and locations that will support the 2011 event. Weather conditions may effect the start date of when race vessels may leave California bound for Hawaii. Thus, the event is tentatively scheduled for July 9, 2011 to July 23, 2011. Race Vessels will be allowed to moor along the 500 Row, although the number of slips provided to Transpac shall be based on those that would be available. Availability of slips shall be determined as the race date nears. DOBOR will do it's best to accommodate as many vessels safely and as practical within the AWSBH. In addition, as in 2009, Transpac has requested use of the grass area beginning of Mole A between the 400 and 500 rows. This parcel is ideally suited as a reception area for greeting the finishers. The area will be roped off, providing an area for the consumption of alcoholic beverages, and food.

The Permittee understands that water is available on the 500 row but there is no connection to electricity since the AWSBH tenants pay for the existing electrical connection through Hawaiian Electric Company. Transpac may tie into the electrical box so that they can have electrical power in the reception area only.

Honolulu Transpac, Ltd. must follow these requirements as part of this permit:

1. A Honolulu Transpac, Ltd. representative must keep in communication with the Harbormaster in the month prior to the agreed upon start date, so as to keep him informed with the coordination of the event. During this period the State will provide the number of slips to be made available for use during the event.
2. Honolulu Transpac, Ltd. shall at all times with respect to the premises use due care for public safety and shall defend, hold harmless, and indemnify the State of Hawaii, its officers, employees, agents, and representatives.
3. The event will have insurance covering personal injury/property liability for 1,000,000 for each occurrence, and \$2,000,000 aggregate coverage, naming State Of Hawaii as an additional insured.
4. The sale of alcoholic beverages is prohibited. The consumption of alcoholic beverages would be for the sole purpose of greeting race contestants as they arrive. This shall take place only within the designated roped off, grassy area at the beginning of Mole A between the 400 and 500 rows. There will be no consumption of alcoholic beverages on the 500 row finger piers, sidewalks, or any of the surrounding areas. Honolulu Transpac, Ltd. shall obtain any necessary City and County Special Event Permits or any required permit for this type of event. The use of the premises will not involve activities prohibited by law, ordinance rule, regulation, and policy inconsistent with the public interest.
5. Mooring configuration shall not impede, or block in any of the harbor channels, or access to the surrounding slips.
6. All boat owners, captains, and crew shall be required to sign a DOBOR waiver prior to the event.
7. At the end of the 14 day event, Honolulu Transpac, Ltd. shall return all areas used in the event to clean and in the same or better condition as existed at the beginning of the function. All rubbish must be removed daily. Prior arrangements shall be made with the Harbor Master for a temporary mooring permit for any vessel wanting to remain in the Ala Wai Small Boat Harbor.
8. Should at any time the Ala Wai Harbor Master feel that mooring, or temporary structures installed by the Permittee may require a change from the agreed upon configuration, then Harbormaster shall retain the right to remedy such situation. Close communication between the representative of Honolulu Transpac Ltd. and the Ala Wai Harbor Master shall continue take place as the contestant vessels near Hawaii, during the event, and up to the time of the final walk through at the completion of the event.

RECOMENDATION:

That the Board approve the issuance of a revocable permit to Honolulu Transpac, Ltd. for the subject area for this fourteen day event on the terms set forth above, subject to the following conditions:

1. The Chairperson may negotiate any appropriate modifications to the standard revocable permit document form.
2. Review and approval by the Department of the Attorney General as to form.
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully submitted,



Edward R. Underwood
Administrator

APPROVED FOR SUBMITTAL

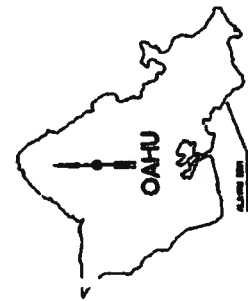
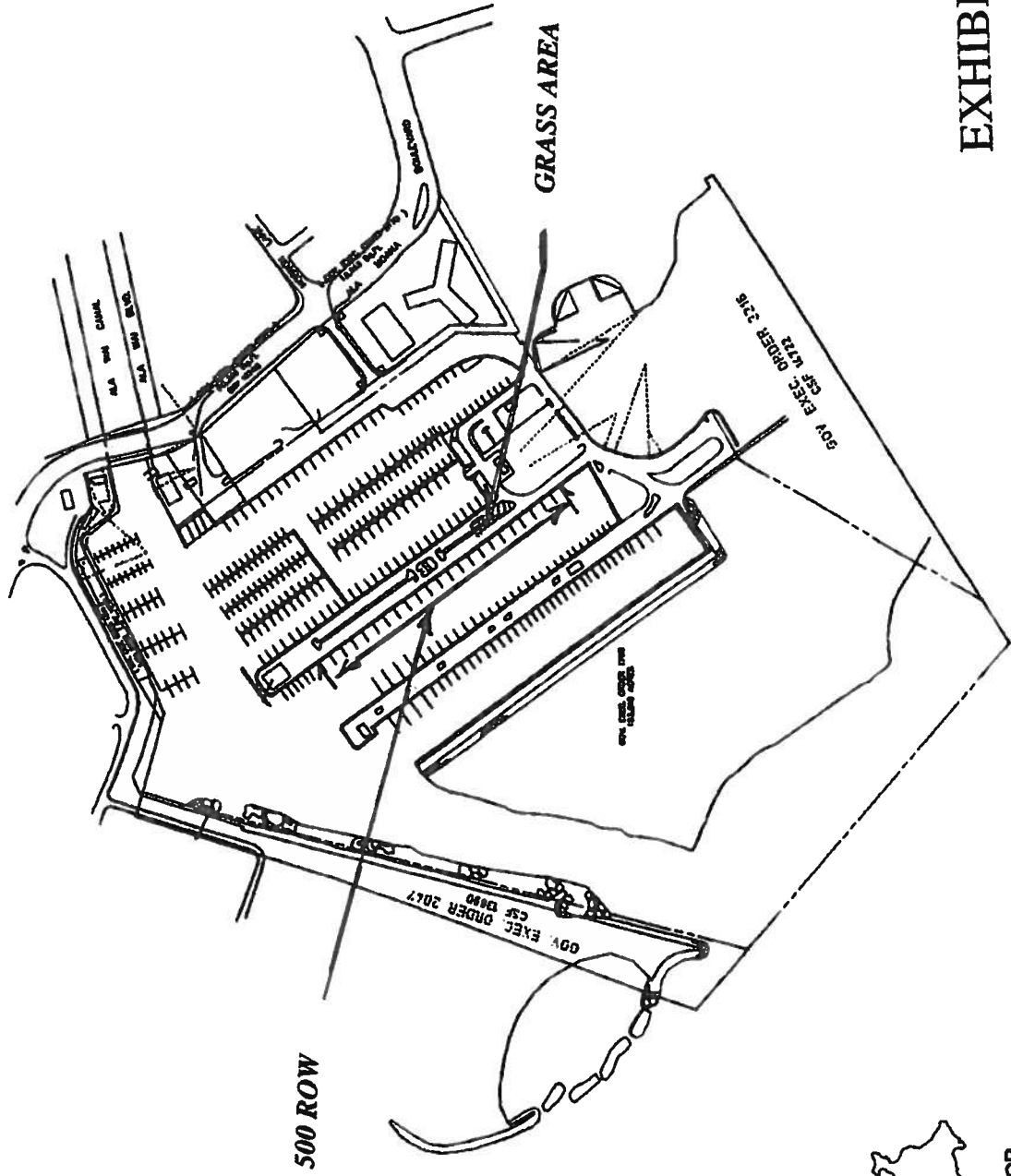


William J. Aila, Jr.
Chairperson

Attachments

- Exhibit A – Location Map
- Exhibit B – Calculation Method for Rent

EXHIBIT A



ALAWA BOAT HARBOR

1:10000 1:10000 1:10000 1:10000

EXHIBIT B

CALCULATION METHOD FOR RENT

- (1) The number of 500 Row slips available is undetermined at this time. Total cost for slips shall be determined by multiplying the number of slips by \$17.58 per slip/per day.
- (2) Grassy Area on Mole A for staging and reception:

In calculating the grass area Hawaii Administrative Rule 13-231-12 was used.
 $3,193 \text{ sq ft} \times .25 \text{ per sq ft} = \798.25 and divided by half for half a month = \$399.13
- (3) Total fee shall be \$399.13 for the use of the Grass Area of Mole A, plus the cost of the total number of slips used as calculated in the method as provided above.